

REMARKS

Receipt of the Office Action of June 2, 2008 is gratefully acknowledged.

Claims 12 - 22 have been examined with the following result: claims 12 - 15, 17, 18, 21 and 22 are rejected under 35 USC 102(e) by Galasso; claim 16 is rejected under 35 USC 103(a) over Galasso in view of Moyer; and claims 19 and 20 are rejected under 35 USC 103(a) over Galasso in view of Fueki.

After careful consideration of the prior art, it has been decided to amend claim 12 to better emphasize the differences between the present invention and the prior art.

The present invention relates to a method for providing protection from unauthorized access to a field device in process automation technology (page 1, paragraph 2), whereby the field device is connected over a data bus with a control unit. The field device comprises at least one function block with defined communication interfaces (page 4, paragraph 3), whereby the set parameters of the function block and the field device determine the functionality of the field device and allow the execution of complicated control procedures while interacting with other field devices connected to the data bus, (page 4, paragraph 4). The method has been disclosed as comprising the steps of:

- storing in the field device or in the function block a security program;
- performing an authorization examination in the case of accessing the parameters of the function block or the field device over the data bus; and
- permitting a change in the parameters of the function block or the field device or a replacement of the function block only in the case when the authorization is available. (page 5, paragraph I)

Galasso relates to a flash memory for a microprocessor firmware which is secured by disabling write access to the memory, thereby preventing unauthorized updating or tampering of the contents when handling the updating of the flash components. A cryptoengine is included in an integrated circuit of the flash memory. An attempt to write to the flash memory is successful only if a received encrypted certificate is authenticated by the cryptoengine. If the access is not authenticated, the write enable signal line and the power applied to the flash memory are disabled.

Galasso provides no hint as to field devices and function blocks in process automation technology and there functionality alone or in connection with other field devices, as it is claimed in amended claim 12. Galasso only describes how to protect a flash memory by a security program. Galasso fails to disclose the protection of the control strategy of a system where a plurality of field devices is connected by a data bus.

Fueki refers to a semiconductor integrated circuit on IC card protected against tampering. Therefore this prior art is not appropriate to lead a skilled person in the direction of the present invention. The same is true when considering Moyer, which is directed to an integrated circuit security and a method therefore.

Since Galasso lacks one or more of the method steps recited in the amended claims, it cannot anticipate the claims as now amended; and since neither reference include in their combined teaching, the features recited in the amended claims, they cannot render the amended claims unpatentable under 35 USC 103, because a combination of references cannot create a feature(s) lacking in the references of the combination. The feature must be situated in at least one of the references of the combination, and if it is not, then obviousness cannot be supported.

In view of the foregoing, reconsideration and re-examination are respectfully requested and claims 12 - 22 found allowable.

Respectfully submitted,

BACON & THOMAS, PLLC

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Felix J. D'Ambrosio

Attorney for Applicant

Registration Number 25,721

Customer Number *23364*

BACON & THOMAS, PLLC

625 Slaters Lane, Fourth Floor

Alexandria, Virginia 22314

Telephone: (703) 683-0500

Facsimile: (703) 683-1080

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